

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11387 of 2021

Bapi Digal

....

Petitioner

Mr. M.K. Sahu, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. S.K. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

06.04.2022

Order No.

2.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 09.09.2021 in connection with Nuagaon P.S. Case No.119 of 2021 corresponding to T.R. No.121 of 2021 pending in the Court of learned Special Judge-cum-Sessions Judge, Nayagarh for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
4. Though it is stated that the seized contraband was 20 Kgs 500 grams, yet as per the FIR, the said weight includes the weight of the container, i.e., the Jerry bag.
5. Having regard to the above, there is considerable force in the submission of learned counsel that the seized contraband will not be more than 20 kgs.
6. Considering the submission as above, the materials on record, the period of detention in custody and the fact that charge sheet has already been submitted, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions

as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

7. BLAPL is accordingly disposed of.
8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

